

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

YESILADA KREDI VE YATIRIM,	)	
	)	
Plaintiff,	)	8:05CV01
	)	
v.	)	
	)	
THOMAS C. WHITMORE,	)	MEMORANDUM AND ORDER
	)	
Defendant.	)	
	)	

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A telephone conference was held with counsel this date to hear argument on pending discovery motions. The court reviewed the documents filed in connection with the pending motions, and permitted counsel to supplement their earlier comments in their respective briefs. In accordance with the discussion during the hearing,

IT THEREFORE HEREBY IS ORDERED:

1. Plaintiff's motion to compel, filing 37, is denied, and defendant's motion for protective order, filing 44, is granted. Counsel shall confer and forthwith provide to the court their stipulated proposed protective order, or if they cannot agree, their respective proposed orders. Defendant shall produce the documents in unredacted form in accordance with the protective order. In the event some portions of documents are claimed to be privileged and counsel cannot produce them in keeping with the protective order, such disputes may be brought before the undersigned magistrate judge.

2. Defendant's motion to quash deposition notice, filing 46, is granted, and the deposition of defendant Thomas E. Whitmore shall not take place on August 15, 2005. Rather, counsel are instructed to confer with counsel for the added parties, once they have entered appearances, and to schedule the deposition at such time as all counsel are able to prepare and fully participate.

DATED this 8<sup>th</sup> day of August, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge